

**ZONING COMMITTEE  
MINUTES  
WEDNESDAY, JANUARY 16, 2013**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, January 16, 2013** in Committee Room #2, at 9:40 a.m.

The following members were present:

**The Honorable Keisha Lance Bottoms, Chair**  
**The Honorable Alex Wan,**  
**The Honorable Howard Shook**  
**The Honorable Carla Smith**  
**The Honorable Joyce Sheperd**

The following member was absent:

**The Honorable Ivory Lee Young, Jr.**

Others present at the meeting were: Charletta Wilson-Jacks, Zoning Administrator; Department of Planning and Community Development; City Attorneys Lem Ward, and Jeffery Haymore; Law Department and members of the public and Council staff.

- A. ADOPTION OF AGENDA - ADOPTED BY ADDING ONE PIECE OF LEGISLATION FROM THE ZRB 12-O-1743
- B. APPROVAL OF MINUTES - APPROVED
- C. ELECTION OF VICE CHAIR -

**Councilmember Wan was elected Vice Chair with a unanimous vote.**

## CONSENT AGENDA

- #### D. ORDINANCES FOR FIRST READING

13-O-0108 ( 1)  
**Z-12-47**

An Ordinance by Zoning Committee to rezone from the R-4A/C-1/BeltLine Overlay (Single Family Residential/Community Business/BeltLine Overlay) District to the C-1 (Community Business) District, property located at **1583 Howell Mill Road, NW**, fronting approximately 127 feet on the east side of Howell Mill Road at the northern intersection of Antone Street.

Depth: Approximately 195 Feet  
 Area: Approximately 0.56 Acre  
 Land Lot: 152, 17<sup>th</sup> District, Fulton County, Georgia  
 Owner: 1583 Howell Mill Road, LLC

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**D. ORDINANCES FOR FIRST READING (CONT'D)**

Applicant; 1583 Howell Mill Road, LLC  
**NPU-D Council District 8**

**FAVORABLE – TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

13-O-0109 (2) An Ordinance by Zoning Committee to rezone from the I-2  
**Z-12-48** (Heavy Industrial) and I-1 ( Light Industrial)) Districts to the  
MRC-3 (Mixed Residential Commercial) District, property  
located at **930 Howell Mill Road, NW**, fronting  
approximately 249.9 feet on the west side of Howell Mill  
Road at the southwesterly corner of 9<sup>th</sup> Street.

Depth: Approximately 502.4 Feet  
Area: Approximately 2.96 Acres  
Land Lot: 150, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Richard Martin  
Applicant: Kevin S. Edwards  
**NPU-E Council District 3**

**FAVORABLE – TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

13-O-0110 ( 3) An Ordinance by Zoning Committee to rezone from the R4-A  
**Z-12-49** (Single Family Residential) and C-1 (Community Business)  
Districts to the R-4A (Single Family Residential) District,  
property located at **2131 and 2137 College Avenue, NE  
and 364 and 370 Murray Hill, NE**, fronting approximately  
127 feet on the south side of College Avenue and  
approximately 232 feet west of the intersection of College  
Avenue and Murray Hill Avenue and approximately 135 feet  
on the west side of Murray Hill Avenue at the intersection of  
College Avenue and Murray Hill Avenue.

Depth: Varies  
Area: Approximately 1.0 Acre  
Land Lot: 150, 15<sup>th</sup> District, Dekalb County, Georgia  
Owner: Stephen W. Knapp  
Applicant: Stephen W. Knapp

**NPU-O Council District 5**  
**FAVORABLE – TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

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**D. ORDINANCES FOR FIRST READING (CONT'D)**

13-O-0111 ( 4)      An Ordinance by Zoning Committee granting a Special Use  
**U-12-26**              Permit pursuant to Section 16-06.005(l)(c) and (k) for a  
Church and Community Center for property located at **3180  
Peachtree Road, NE**, fronting approximately 160 feet on the  
east side of Mathieson Drive and beginning 180 feet from the  
northeast corner of Mathieson Place and Mathieson Drive.  
Depth:                      Approximately 440 Feet  
Area:                        3,739 Acres  
Land Lot:                  61, 17<sup>th</sup> District, Fulton County, Georgia  
Owner:                      Peachtree Road United Methodist Church  
Applicant:                Peachtree Road United Methodist Church  
c/o G. Douglas Dillard, Esq.

**NPU-B**

**Council District 7**

**FAVORABLE – TO BE REFERRED TO ZRB AND ZONING  
COMMITTEE**

13-O-0112 ( 5)      An Ordinance by Zoning Committee to amend Ordinance U-  
**U-82-21/**              82-21 as adopted by the City Council on July 6, 1982 and  
**(TR-12-004)**        approved by the Mayor on July 14, 1982 for the purposes of  
approving a Transfer of Ownership for a Special Use Permit  
for a Day Care Center for property located at **799 Hutchens  
Road, SE**; and for other purposes.

**FAVORABLE – TO BE REFERRED TO ZONING  
COMMITTEE**

**REGULAR AGENDA**

**E. ZRB SUMMARY REPORT**

**F. ORDINANCE FOR SECOND READING**

12-O-1743 ( 1)      An Ordinance by Council Members Michael Julian Bond,  
Aaron Watson, and H. Lamar Willis to amend Section 16-  
28A.010(12) of the Sign Ordinance of the City of Atlanta  
Regulating Signs in the Downtown Special Public Interest  
Zoning District (SPI-1), so as to modify and revise certain  
provisions of said section; and for other purposes.

**FAVORABLE**

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**G. PAPERS HELD IN COMMITTEE**

10-O-0013 ( 1)  
**Z-07-113**      An Ordinance by Councilmember Aaron Watson **as substituted and amended by Zoning Committee** to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, SE**, fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue. **(Substituted as amended and held 1/13/10 at the request of the District Councilmember)**

Depth:      Approximately 1,010 Feet

Area:      Approximately 10.32 Acres

Land Lot:    42, 14<sup>th</sup> District, Fulton County, Georgia

Owner:      JWGST LLC/Joseph Wiles

Applicant:   Jason Fritz

**NPU-Y**

**Council District 1**

**HELD**

11-O-0533 ( 2)  
**Z-11-12**      An Ordinance by Councilmember Natalyn Mosby Archibong **as substituted (#2) by Zoning Committee** to amend Section 16-32B of the 1982 Zoning Ordinance of the City of Atlanta by amending the existing NC-2 East Atlanta Village Business Neighborhood Commercial District; and for other purposes. **(Substituted and held 6/13/12)**

**HELD**

11-O-0692 ( 3)  
**U-11-16**      An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from the **544 North Angier Avenue, NE** (Donor Parcel). **(Referred back by Full Council 7/18/11) (Amended and held 7/27/11)**

**HELD**

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**G. PAPERS HELD IN COMMITTEE (CONT'D)**

11-O-0693 ( 4)      An **Amended** Ordinance by Zoning Committee granting a  
**U-11-17**              Special Use Permit pursuant to Section 16-28.023(2)(c)(3)  
and Section 16-28.027 (3)(c) of the City of Atlanta Zoning  
Ordinance for a Transfer of Excess Development Rights.  
Said use is granted to Atlanta BeltLine, Inc. (Recipient  
Parcel) its successors, assigns and all subsequent owners  
and are to be transferred from **641 (C 665) North Avenue,  
NE (Perlman Tract) (Donor Parcel). (Referred back by Full  
Council 7/18/11) (Amended and held 7/27/11)**

**HELD**

11-O-0824 ( 5)      An Ordinance by Zoning Committee to amend Section 6-  
4028 and to create Section 6-4028.1 of the Land  
Development Code, Part III of the Code of Ordinances, so as  
to change the Deferral Fee for Variance and Special  
Exception Applications before the Board of Zoning  
Adjustment to a flat fee for each instance that the Board  
grants an applicant's request for deferral to a subsequent  
public hearing on the application; and for other purposes.  
**(Held 6/15/11) (Public Hearing held 5/2/12)**

**HELD**

11-O-0857 ( 6)      An **Amended** Ordinance by Zoning Committee granting a  
**U-11-18**              Special Use Permit pursuant to Section 16-28.023 (2)(c)(3)  
and Section 16-28.027 (3)(c) of the City of Atlanta Zoning  
Ordinance for a Transfer of Excess Development Rights.  
Said use is granted to Atlanta BeltLine, Inc., (Recipient  
Parcel) its successors, assigns and all subsequent owners  
and are to be transferred from **690 Morgan Street, NE,**  
**(a.k.a. 0 North Avenue Tax Parcel Identification 14-0018-  
0001-026-5), (Donor Parcel). (Referred back by Full  
Council 7/18/11) (Held 7/27/11)**

**HELD**

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**G. PAPERS HELD IN COMMITTEE (CONT'D)**

12-O-1037 ( 7)      An Ordinance by Zoning Committee to rezone from the C-2  
**Z-12-26**              (Commercial Service) District to the C-3 (Commercial  
Residential) District, property located at **425 14<sup>th</sup> Street,**  
**NE**, fronting approximately 300 feet on the north side of 14<sup>th</sup>  
Street at the westerly intersection of Mecaslin Street and  
14th Street. **(Held 1/16/13)**

Depth:                      Approximately 388 feet  
Area:                        Approximately 2.35 Acres  
Land Lot:                  149, 17<sup>th</sup> District, Fulton County, Georgia  
Owner:                     Meredith Corporation  
Applicant:                Meredith Corporation/M. Hakim Hilliard,  
Esquire

**NPU-E**

**Council District 3**

**HELD**

**LINK TO ZRB PENDING LEGISLATION**

<http://citycouncil.atlantaga.gov/2013/pendingzrb.htm>

**SUMMARY REPORT**  
January 16, 2013

<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM</b>	<b>NPU RECOMM</b>	<b>ZRB RECOMM</b>
<b><u>FAVORABLE</u></b>						
12-O-1434	Z-12-37	791 Ralph McGill Boulevard, N.E.	I-2/Beltline Overlay District to MRC- 1/Beltline Overlay District	Approval	Approval	Approval
Councilmember Wan made a motion to approve. The vote was unanimous.						
<b><u>FAVORABLE ON SUBSTITUTE</u></b>						
12-O-1405	Z-12-35	1033 Jefferson Street, N.W. K-3	MRC-3-C to I-1	Approval Conditional of substitute ordinance	Approval Conditional of substitute ordinance	Approval Conditional of substitute ordinance
12-O-0448	Z-12-11	Campbellton Road Corridor in NPU-P P-11	C-1, C-1-C to MRC-1-C AND MR-4A-C	Approval Conditional of substitute ordinance	Approval	Approval Conditional of substitute ordinance
12-O-0449	Z-12-12	Campbellton Road Corridor in NPU-P P-11	R-4, RLC, RG-3, C-1, C- 1-C and C-2-C to MR-3- C, MR-4B-C, MRC-1-C and MRC-2-C	Approval Conditional of substitute ordinance	Approval	Approval Conditional of substitute ordinance

Councilmember Wan made a motion to approve on substitute.

**SUMMARY REPORT**  
January 16, 2013

<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM</b>	<b>NPU RECOMM</b>	<b>ZRB RECOMM</b>
<b><u>FAVORABLE AS AMENDED</u></b>						
12-O-1438	U-12-23	130 West Paces Ferry Road, N.W. B-8	Special Use Permit for a Community Center	Approval Conditional	Approval	Approval Conditional
12-O-1326	Z-12-34	2626 Burtz Street, 2590 Burtz Street, 2580 Burtz Street, 1884 Hollywood Road, 2633 and 2641 Burtz Street, 2615 Burtz Street, 2622 Peyton Road, 2612 Peyton Road, 2614 Peyton Road, 2616 Peyton Road, 2597 Burtz Street and 1900, 1906 and 1910 Hollywood Road, 1914 Hollywood Road and 2585 Burtz Street D-9	MR-2, MR-2-C and MRC- 2-C to MR-3-C	Approval Conditional	Approval Conditional	Approval Conditional

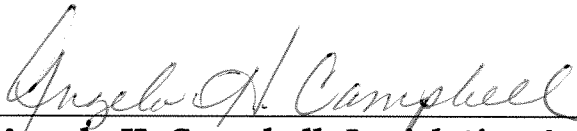
Councilmember Smith made a motion to approve as amended. The vote was unanimous.



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**There being no further business to come before the Zoning Committee the meeting was adjourned at 10:00 a.m.**

**Respectfully submitted:**



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**Angela H. Campbell, Legislative Assistant**



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**Steve Tam, Research & Policy Analyst**



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**The Honorable Keisha Lance Bottoms, Chair**